

Message Text

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E.O. 11652:GDS

TAGS: SHUM, PINT, PGOV, GE, US

SUBJECT: HUMAN RIGHTS: COUNTRY ACTION PLAN FOR THE GDR

1. THE DEPARTMENT IS IN THE PROCESS OF DRAWING UP HUMAN RIGHTS "ACTION PLANS" FOR ALL COUNTRIES, INCLUDING THE GDR. IN THESE PLANS THE HUMAN RIGHTS RECORD IS BEING REVIEWED AND SUGGESTIONS ARE TO BE MADE FOR POSSI -
USG ACTIONS TO INFLUENCE FAVORABLY THE HUMAN RIGHTS SITUATION AND POLICIES IN EACH COUNTRY.

2. THIS PROGRAM IS BASED UPON THE ADMINISTRATION'S CONCERNS OVER HUMAN RIGHTS THROUGHOUT THE WORLD AND IS PREMISED UPON THE SECRETARY'S STATEMENT OF POLICY SET FORTH IN HIS LAW DAY SPEECH AT THE UNIVERSITY OF GEORGIA ON APRIL 30. THE EMBASSY HAS ALREADY RECEIVED A TEXT OF THE SECRETARY'S SPEECH.

2. EUR/CE HAS PREPARED THE FOLLOWING DRAFT ACTION PLAN
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FOR THE GDR AND WOULD APPRECIATE THE EMBASSY'S COMMENTS AND CRITICISM BY JUNE 30 IS POSSIBLE.

3. DRAFT COUNTRY ACTION PLAN:

BEGIN TEXT:

HUMAN RIGHTS: COUNTRY ACTION PLAN FOR THE GERMAN
DEMOCRATIC REPUBLIC

A. CONDITION OF HUMAN RIGHTS IN THE GERMAN DEMOCRATIC
REPUBLIC (GDR)

BEING A COMMUNIST STATE, THE GDR VIEWS THE RIGHTS OF THE
CITIZEN AND OF THE STATE IN A LIGHT FAR DIFFERENT FROM
TRADITIONAL WESTERN INTERPRETATIONS OF THESE RIGHTS
AND RESPONSIBILITIES. BASICALLY, THE STATE AND ITS
INTERESTS TAKE PRECEDENCE OVER THE RIGHTS OF INDIVIDUALS,
ALTHOUGH IN THEORY ALL CITIZENS ARE PROVIDED FAIR AND
EQUAL TREATMENT. GDR LAWS AND PRACTICE ARE SUCH THAT
THERE IS EXTREMELY LITTLE ROOM FOR AN INDIVIDUAL TO
PATTERN HIS LIFE IN ACCORDANCE WITH HIS OWN DESIRES.

SUCH BASIC RIGHTS AS FREEDOM OF SPEECH AND FREEDOM TO
EMIGRATE ARE NON-EXISTENT. IN FACT, OPEN CRITICISM
OF THE STATE OR ATTEMPTED DEPARTURE FROM THE GDR
WITHOUT EXPRESS APPROVAL OF THE STATE ARE CONSIDERED
CRIMINAL OFFENSES, AND NUMBERS OF GDR CITIZENS HAVE BEEN
IMPRISONED FOR THE ATTEMPTED EXERCISE OF THESE RIGHTS.

1. RESPECT FOR THE INTEGRITY OF THE PERSON: THERE IS
LITTLE EVIDENCE TO SUGGEST THAT THE GDR EMPLOYS TORTURE,
ARBITRARY ARREST AND IMPRISONMENT, DENIAL OF A FAIR PUBLIC
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TRIAL AND INVASION OF THE HOME.

2. RESPECT FOR CIVIL AND POLITICAL LIBERTIES:
THEORETICALLY, GDR CITIZENS ENJOY THE RIGHTS TO FREEDOM
OF THOUGHT, RELIGION AND ASSEMBLY. IN PRACTICE, VERY
LITTLE TOLERANCE IS SHOWN TOWARD CRITICS OF THE REGIME
OR ITS ALLIES. RELIGIOUS FREEDOM DOES EXIST TO A
SURPRISING DEGREE, AND THE CHURCHES IN THE GDR ARE STILL
ACTIVE AND OCCASIONALLY OUTSPOKEN. THERE ARE NO
STRINGENT RESTRICTIONS ON IN-COUNTRY TRAVEL. EMIGRATION
IS RIGIDLY CONTROLLED AND, IN GENERAL, COMPLETELY
DISCOURAGED. DESPITE THIS, AROUND FIVE THOUSAND EAST
GERMANS ARE ALLOWED TO EMIGRATE TO WEST GERMANY
ANNUALLY. MOST OF THESE INDIVIDUALS HAVE CLOSE RELATIVES
IN WEST GERMANY AND OR ARE ELDERLY RETIREES. YOUNGER
AND WELL-EDUCATED INDIVIDUALS NORMALLY ARE NOT PERMITTED
TO LEAVE.

DESPITE ITS RIGID EMIGRATION POLICY, THE GDR HAS, IN THE
LAST SEVERAL MONTHS, TAKEN POSITIVE STEPS TO RESOLVE
HUMANITARIAN CASES OF OUTSTANDING FAMILY REUNIFICATION AND
FIANCEE CASES INVOLVING RELATIVES AND FIANCEES OF US

CITIZENS. THE NUMBER OF THESE CASES IS NOT LARGE, HOVERING AROUND FIFTY PERSONS, BUT THE GDR'S OFFICIAL DECISION TO SETTLE THESE CASES IS A WELCOME DEVELOPMENT IN OUR VIEW.

WITH RESPECT TO FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS, GDR CITIZENS MAY BECOME POLITICALLY ACTIVE IF THEY SO DESIRE, BUT ONLY IN APPROVED CHANNELS-- I.E., THE RULING SOCIALIST UNITY PARTY ' SED OR ONE OF THE SEVERAL SMALL, GOVERNMENT-DOMINATED PARTIES STILL ALLOWED TO EXIST UNDER THE FACADE OF MULTI-PARTY DEMOCRACY.

3. RECENT TRENDS IN GOVERNMENTAL POLICIES RELATING TO BASIC HUMAN NEEDS: THE GDR'S RECORD IN PROVIDING ADEQUATE
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HOUSING, EDUCATION, HEALTH CARE AND OTHER NECESSITIES IS, ON THE WHOLE, QUITE GOOD. ALTHOUGH DEFICIENCIES STILL EXIST IN REGARD TO HOUSING AND FOODSTUFFS, THE GOVERNMENT HAS PLACED GREAT EMPHASIS ON MEETING THE NEEDS OF THE POPULATION. DESPITE CERTAIN ECONOMIC STRAINS WITHIN THE COUNTRY, THE GDR HAS ENDEAVORED TO MAINTAIN LOW (SUBSIDIZED) COSTS FOR BOTH FOOD AND HOUSING.

WE HAVE NO EVIDENCE OF CORRUPTION IN THE GDR, BUT THE GOVERNMENT AND PARTY ELITE RECEIVE MANY BENEFITS WHICH ARE NOT AVAILABLE TO THE GENERAL POPULATION.

4. THE GDR GOVERNMENT AND THE RULING PARTY (THE S.E.D.) ARE TOTALLY RESPONSIBLE FOR THE EXISTENCE OR LACK OF HUMAN RIGHTS IN THE GDR. THEIR COMBINED POWER IS ALMOST ABSOLUTE IN TERMS OF CONTROLLING THE POPULATION, WHETHER THROUGH BENIGN OR REPRESSIVE MEASURES. GIVEN THE MARXIST OUTLOOK OF THE RULING FORCES, WITH ITS EMPHASIS ON SOCIALIST HUMANISM, THE GOVERNMENT AND THE PARTY EXTOL THE FREEDOMS AND SOCIAL BENEFITS WHICH ARE PROVIDED TO THE PEOPLE, I.E. GUARANTEED WORK, FREE EDUCATION AND HEALTH CARE, ALL FROM CRADLE TO GRAVE. THESE ARE HIGHLIGHTED AD NAUSEUM, AND THE WEST, INCLUDING THE US, IS CONSTANTLY SUBJECTED TO UNFAVORABLE COMPARISONS ON THESE ISSUES. AT THE SAME TIME, THE GDR--LIKE THE USSR--IS QUICK TO DENY BASIC RIGHTS TO THOSE WHO DO NOT ACCEPT THE STATUS QUO OR WHO ARE CONSIDERED ENEMIES OF THE STATE AND THE MASSES.

IN BOTH CASES, THE GDR'S JUSTIFICATION MUST BE ACCEPTED AS SINCERE SINCE WE ARE CONSIDERING A SYSTEM WITH TOTALLY DIFFERENT VALUES TOWARD THE RELATIONSHIP BETWEEN THE INDIVIDUAL AND THE STATE/SOCIALIST SOCIETY.
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5. THE GDR IS TOTALLY UNWILLING TO PERMIT OR EVEN TO CONTEMPLATE "OUTSIDE" INVESTIGATIONS OF ALLEGED HUMAN RIGHTS VIOLATIONS. THIS WOULD CONSTITUTE "INTERFERENCE IN THE GDR'S INTERNAL AFFAIRS."

B. ANALYSIS AND RECOMMENDATIONS

1. ONE OBJECTIVE WHICH THE US CAN CONSIDER WOULD BE TO OBTAIN CONTINUED GDR COOPERATION IN RESOLVING HUMANITARIAN CASES INVOLVING GDR CITIZENS WITH RELATIVES AND FIANCEES IN THE US.

WITH REGARD TO MODIFICATIONS OF THE GDR'S INTERNAL POLICIES, IT WOULD BE COUNTER PRODUCTIVE TO FORMULATE A SHORT TERM "ACTION PLAN." TO THE GDR LEADERSHIP, US EFFORTS TO IMPOSE OUR CONCEPTS ON WHAT IS RIGHT AND WHAT IS WRONG REPRESENT IDEOLOGICAL WARFARE AND WOULD, IN ALL PROBABILITY, RESULT IN FURTHER DIMINISHING HUMAN RIGHTS FOR THE GDR POPULATION, AS THE RULERS SEEK TO MAINTAIN THEIR AUTHORITARIAN CONTROL.

AS STATED ABOVE, IT IS POSSIBLE THAT THE US COULD PRESSURE THE GDR INTO ACCOMMODATING OUR INTERESTS IN HUMANITARIAN CASES IN WHICH THERE IS A DIRECT US INTEREST--US RELATIVES OR FIANCES. WE HAVE BEEN SUCCESSFUL IN THIS PRIMARILY BECAUSE THE GDR HAS REALIZED IT IS IN ITS OWN INTEREST TO SATISFY US IN THIS MATTER.

THE USG CAN ATTEMPT TO EXERT INFLUENCE ON THE GDR, IN REGARD TO HUMAN RIGHTS, THROUGH QUIET DIPLOMACY AND THE WITHHOLDING OF ECONOMIC BENEFITS--SUCH AS MFN AND CREDITS. BOTH OF THESE TACTICS ARE BEING USED AND HAVE SUCCEEDED INsofar AS US-RELATED HUMANITARIAN CASES ARE CONCERNED. WE SHOULD CONTINUE TO USE THESE TACTICS IN OTHER HUMAN RIGHTS AREAS IF WE FEEL THAT IT WOULD

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BE IN OUR INTEREST TO DO SO.

THE GDR, LIKE THE USSR, HAS REACTED NEGATIVELY TO THE USG'S HUMAN RIGHTS POLICIES, ACCUSING THE US OF HYPOCRISY AND INTERFERENCE IN THE GDR'S INTERNAL AFFAIRS. IT IS DIFFICULT TO GAUGE THE REACTION OF THE GENERAL PUBLIC IN THE GDR TO OUR POLICIES, BUT ONE COULD ASSUME THAT OUR

STANCE IS SUPPORTED IN SPIRIT IF NOT OPENLY ENDORSED.

IN ADDRESSING THE GDR'S HANDLING OF HUMAN RIGHTS, WE MUST
REALIZE THAT IN A SENSE THE GDR IS CAUGHT IN A VISE BETWEEN
THE SOVIETS AND THE WEST GERMANS. THIS MAKES THE GDR
MORE DIFFICULT TO DEAL WITH BECAUSE IT IS FORCED TO
STRUCTURE ITS POLICIES DELIBERATELY IN FAVOR OF THOSE
OF THE SOVIETS AND AGAINST THOSE OF WEST GERMANY
THEREFORE, AN AGRESSIVE US APPROACH TOWARD THE GDR
WOULD NOT BE PRODUCTIVE, AND COULD DRIVE THE ALREADY
INSECURE REGIME TO HARsher MEASURES TO COUNTER THE HUMAN
RIGHTS ASPIRATIONS OF ITS CITIZENS.

IN VIEW OF THIS, WE SHOULD MOVE CAREFULLY AND SHOULD NOT
APPEAR TO THREATEN THE REGIME. AT THE SAME TIME, WE

SHOULD USE EVERY OPPORTUNITY THROUGH DIPLOMATIC AND OTHER
GOVERNMENTAL CHANNELS TO MAKE CLEAR OUR CONTINUED
COMMITMENT TO HUMAN RIGHTS THROUGHOUT THE WORLD. IN
DOING SO, WE SHOULD ALSO CONTINUE TO EMPHASIZE THAT OUT
RELATIONS WITH THE GDR WILL ALWAYS BE HEAVILY INFLUENCED
BY THE GDR'S RECORD ON HUMAN RIGHTS.

END TEXT. VANCE

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